



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE February 6, 2015 LOCAL EFFECTIVE DATE February 20, 2015 APPROX. FINAL EFFECTIVE DATE March 13, 2015	CONTACT/PHONE Brandi Cummings Project Manager (805) 781-1006 bcummings@co.slo.ca.us	APPLICANT Steven and Susie Boyett	FILE NO. DRC2014-00015
SUBJECT Hearing to consider a request by Steven and Susie Boyett for a Minor Use Permit/Coastal Development Permit to allow the construction of a 370 square-foot second-level living addition with a 170 square-foot view deck to an existing single family residence. The project will result in no permanent site disturbance on a 2,650 square-foot existing residential parcel. The proposed project is within the Residential Single Family land use category, within the Small Scale Design Neighborhood, and is located at 2065 Pacific Avenue, approximately 780 feet west of Highway 1, in the community of Cayucos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2014-00015 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption (ED14-145) was issued on November 19, 2014			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Coastal Appealable Zone, Local Coastal Program, Archaeologically Sensitive Area, Small Scale Neighborhood	ASSESSOR PARCEL NUMBER 064-234-006	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Small Scale Neighborhood <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cayucos Fire, Cayucos Sanitary, Paso Robles Beach Water Association, California Coastal Commission, Cayucos Citizen's Advisory Council, Community Liaison Terry Wahler	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: October 20, 2014

DISCUSSION

The applicant is proposing to build a 370 square-foot second-level living addition with a 170 square-foot view deck to an existing single family residence. The project site is located at 2065 Pacific Avenue, in the community of Cayucos. As outlined below, the proposed project is consistent with the Cayucos Urban Area Standards of the Estero Area Plan, as well as applicable Coast Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS

Communitywide

Resource Capacity and Service Availability

All applications for new land divisions and land use permits for new development shall be accompanied by letters from the applicable water purveyor and the Cayucos Sanitary District stating their intent to serve the proposed project.

Staff comment: The property has existing water service provided by Paso Robles Beach Water Association. All applications for building permit approval within the community of Cayucos are to be accompanied by a letter or other verification from the Cayucos Sanitary District and the applicable water purveyor indicating that the proposed project has received water and sewer approval. This project is conditioned to meet this standard.

Combining Designations

Local Coastal Program Area (LCP)

In accordance with CZLUO Section 23.07.120 the project is within the California Coastal Zone as determined by the California Coastal Act of 1976.

Small Scale Neighborhood Design Standards

Front Setback

In the Paso Robles Beach Area on lots along the east side of Pacific Avenue, the minimum front setback shall be 10 feet. The second floor of proposed two-story construction shall have an additional front setback of at least three feet from the front of the lower wall, except open rail, uncovered decks are excluded from this additional setback and may extend to the lower front wall.

Staff Comment: The front of the upper level addition is an open rail, uncovered deck and is setback 10 feet from the property line.

Side Setback

Proposed two-story construction (including decks) in the Paso Robles Beach Area shall have a lower floor setback on each side of not less than four feet. An upper story wall setback on each side yard of a minimum of two-and-one-half (2 ½) feet greater than the lower story wall also be required. Thirty percent of the upper story side wall may align with the lower floor wall provided it is within the rear two-thirds of the structure.

Staff Comment: The existing residence has a non-conforming left side setback of 2'6". The proposed upper level left setback is 3'6" greater than the lower floor, bringing the total upper floor left setback to 6', compensating for the non-conforming lower floor setback. Staff finds this is a reasonable approach for two-story additions on non-conforming structures. The existing right side setback is 6'9½" and the proposed upper right side setback is 2'6" greater than the lower level, which complies with the requirement. The stairwell wall is less than 30 percent of the upper story wall, is located in the rear two-thirds of the structure, and is setback 4' from the property line. Therefore, the proposed project complies with this standard.

Rear Setback

In the Paso Robles Beach Area, the minimum rear setback for Sub. No. 3, Block 13, Lot 11 & 12 shall be 5 feet.

Staff Comment: The rear setback is 16 feet and complies with this standard.

Building Height Limitations

Heights shall be measured from the center line of the fronting street (narrowest side for corner lots) at a point midway between the two side property lines projected to the street center line, to the highest point of the roof. All proposed structures in the Small Scale Design Neighborhood are not to exceed 24 feet in height. Roof heights up to 18 feet shall not be required to have sloped roofs, roof heights exceeding 18 feet but not exceeding 22 feet shall have a roof pitch of at least 4:12, and roof heights exceeding 22 feet but not exceeding the maximum height allowed (24 feet) shall have a roof pitch of at least 5:12. And at no point shall a lower story wall exceed 12 feet in height including its above ground foundation.

Staff Comment: The proposed building height is 24 feet. The proposed upper story roof pitch matches the existing residence's roof pitch. Therefore, the project complies with this standard.

Gross Structural Area

Development or additions, exceeding one story of 15 feet in height, shall not exceed the GSA as provided in the table below. In addition, the second story square-footage shall be no greater than 60 percent of the first floor square footage.

Lot Size	Maximum Gross Structural Area Shall Be:
Up to 2899	60% of usable lot, not to exceed 1595 square feet
2900 – 4999	55% of usable lot, not to exceed 2500 square feet
5000 +	50% of usable lot, not to exceed 3500 square feet

Staff Comment: The total lot size is 2,670 square-feet. Therefore, the maximum allowed GSA is 1,595 square-feet. The overall development on the site (including the proposed addition) is 1,595 square feet. The second story square-footage is approximately 30 percent of the first floor square-footage. Therefore, this proposed project complies with this standard.

Deck Rail Height

Rail heights for decks above the ground floor shall not exceed 36 inches. A maximum additional height of 36 inches of un-tinted, transparent material with minimal support members is allowable except as restricted by the front setback standard.

Staff Comment: The proposed railing height for the upper story deck is 48 inches. The upper 24 inches of deck railing will be constructed of cable, which allows vision through. This project complies with this standard.

Parking

At least one off-street parking space shall be enclosed with an interior space a minimum size of 10 feet by 20 feet, and a maximum of one required off-street parking space may be located in the driveway within the required front yard setback area. Additions to an existing structure on a site that does not conform to the parking standards of this subsection may be approved through a Minor Use Permit if all of the following criteria are met, notwithstanding the provisions of Chapter 23.09 of the Coastal Zone Land Use Ordinance regarding nonconforming parking: (i) the site shall not be a bluff-top lot, and (ii) the addition shall be one-story only and shall not increase the gross structural area of the existing structure by more than 25 percent, provided that the maximum GSA as set forth above shall not be exceeded, and (iii) the addition shall not include any bedrooms, and (iv) at least one off-street parking space shall be provided that is enclosed with an interior space that has a minimum size of 10 feet by 20 feet, and (v) one off-street parking space may be located within the required front setback, as long as the space does not encroach into the street.

Staff Comment: The existing parking arrangement is non-conforming. One parking space is proposed within the existing 283 square foot garage, with a second parking space in the front setback. The front setback is non-conforming at 12 feet, however this front setback area is currently used for parking for the existing residence. Staff has determined that since the project is a minor second floor addition, this arrangement is supportable without the required full 20 foot front setback.

Driveway Widths

Driveway widths may not exceed 18 feet.

Staff Comment: The driveway width is approximately 10 feet and complies with this standard.

Streetscape Plan

A scale drawing showing the front exterior elevation (view) of the proposed project, and the front elevations of the adjacent buildings, is required as part of the application submittal.

Staff Comment: A copy of the streetscape plan is in the file.

Topographic Map

A topographic map including the elevation of the fronting street, site contours, and existing and proposed drainage patterns is required as part of the application submittal.

Staff Comment: A copy of the topographic map is in the file.

COASTAL ZONE LAND USE ORDINANCE STANDARDS

Section 23.01.043 – Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the project is proposed development between the ocean and first public road (CA Highway 1), is within 300 feet of the top of the coastal bluff, is located in a Small-Scale Neighborhood, and is located in an Archaeologically Sensitive Area.

Section 23.07.120: Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Section 23.07.104 Archaeologically Sensitive Areas

This Section requires development applications within the Archaeologically Sensitive combining designation area to include a preliminary archaeological site survey. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and

approved by the Environmental Coordinator. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist.

Staff comments: The proposed project is located in a designated archaeologically sensitive area. However, the project involves the construction of an upper-story residential addition with no new building footprint, and is located on a previously disturbed site lacking native ground cover. In the event that archaeological resources are discovered during site disturbing activities, the contractor would be required to cease construction and the site would be studied by an archaeologist before construction activities could resume. The proposed project therefore complies with this standard.

COASTAL PLAN POLICIES

Following is a brief list of the Coastal Plan Policies (discussion of specific applicable policies following):

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: ☒

Policy No(s): 1

Coastal Watersheds: ☒

Policy No(s): 8 and 9

Visual and Scenic Resources: ☒

Policy No(s): 1 and 6

Hazards: N/A

Archeology: ☒

Policy No(s): 1

Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned.

Public Works

Policy 1: Availability of Service Capacity. New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development. The proposed project complies with this policy because the proposed project is an addition to an existing single family residence with existing water and sewer service, and the project is conditioned to comply with this standard.

Coastal Watersheds

Policy 8: Timing of Construction and Grading. Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. The proposed project is consistent with this policy because it's conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.

Policy 9: Techniques for Minimizing Sedimentation. *Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. The proposed project is consistent with this policy because the applicant is conditioned to apply Best Management Practices in the selection and implementation of site maintenance.*

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources. *Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible. The proposed project complies with this policy because it complies with the Small Scale Design Neighborhood standards, is in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.*

Policy 6: Special Communities and Small-Scale Neighborhoods. *Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community. The proposed project is consistent with this standard because the proposed addition is visually compatible with the existing residence and neighborhood and complies with all the standards for Cayucos Small Scale Design Neighborhood.*

Archeology

Policy 1: Protection of Archaeological Resources. *The proposed project complies with this policy as the project involves the construction of an upper-story residential addition with no new building footprint, and is located on a previously disturbed site lacking native ground cover. In the event that archaeological resources are discovered during site disturbing activities, the contractor would be required to cease construction and the site would be studied by an archaeologist before construction activities*

COMMUNITY ADVISORY GROUP COMMENTS

Cayucos Citizens Advisory Council (CCAC) – *CCAC recommended approval of this project in October 2014.*

AGENCY REVIEW

Public Works- *No comments.*

Building Department – *Per referral dated 9/5/14:*

1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.
2. The project is subject to a construction permit as well as the newly adopted 2013 California Codes.

3. The project is subject to the California State Title 24 energy laws.
4. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
5. A fire sprinkler system will be required for the new and existing portions of the residence, due to the addition of a 2nd story per County Ordinance.

Cayucos Fire – *No comment.*

Cayucos Sanitary – *Per referral dated 8/21/14:
A conditional sewer will serve letter will be required for this project.*

California Coastal Commission – *No response.*

Paso Robles Beach Water Association – *No response.*

LEGAL LOT STATUS

The one existing parcel is Lot 8 in Block 2 of Paso Robles Beach No. 1 according to map recorded August 21, 1922 in Book 3, Page 15 of Maps, at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Airlin Singewald.